

### REMARKS/ARGUMENTS

Claims 1-35 are pending in the application, wherein claim 30 has been amended in a manner so as to become a species of claim 14.

The Office Action includes a Restriction Requirement relative to the following claim groupings:

- I. Claims 1-13, drawn to a composition comprising at least one quaternary ammonium halide;
- II. Claims 14-24, drawn to a method of treating pathogen induced disordered tissue by applying a treatment composition comprising at least one organohalide;
- III. Claims 25-29, drawn to a method of treating smallpox lesions induced disordered by applying a treatment composition comprising at least one organohalide;
- IV. Claims 30-35, drawn to a method of treating herpes virus induced disordered tissue comprising applying at least one anti-infective agent in an aqueous carrier.

Applicant hereby elects Group II with traverse relative to Group III and without traverse relative to Groups I and IV as presented in the Office Action.

Accordingly, claims 1-13 have been withdrawn from consideration at this time as being drawn to a non-elected invention. In view of the amendment to claim 30, however, Applicant submits that claims 30-35 are now within the scope of the elected invention. Claim 14 is generic to claims 25-35 because "smallpox lesions," as in claim 25, and "lesions caused by a herpes virus," as in claim 30, are merely species of "pathogen-induced disordered tissue," as in claim 14. Smallpox and herpes are both caused by pathogens (*i.e.*, smallpox and herpes viruses, respectively) and are therefore "pathogen-induced disordered tissue." Claims 14, 25 and 30 (as amended) all claim a method that employs an organohalide as anti-infective agent in a treatment composition that also includes a tissue penetrating component. Accordingly, Applicant submits that claims 14-35 as now presented are within the scope of the elected invention.

Applicant does, however, acknowledge that claims 30-35 as previously presented are patentably distinct from Groups I- III. Applicant therefore reserves the right to pursue the claims of Groups I and IV as previously presented and characterized in the Office Action in one or more later-filed divisional applications.

The Office Action further indicates that claims 1-35 are generic to the following patentably distinct species: (1) quaternary ammonium halides (claims 1-13), (2) organohalides

(claims 14-29) and (3) anti-infective agents (claims 30-35). Applicant elects organohalides without traverse. Nevertheless, Applicant notes that the term “anti-infective agent” is generic to the term “organohalides” as employed in claims 14 and 25 (*i.e.*, claims 14 and 25 each specify that the claimed “organohalides” are also an “anti-infective agent”).

In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner’s Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 6<sup>th</sup> day of September 2007.

Respectfully submitted,



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